

1                                   **RESOLUTION NO. 200\_\_ - \_\_\_\_\_**  
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4                   **A RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA**  
5                   **APPROVING A MILLS ACT HISTORIC PROPERTY CONTRACT**  
6                   **BETWEEN THE CITY AND \_\_\_\_\_, OWNER(S) OF PROPERTY**  
7                   **LOCATED AT \_\_\_\_\_ IN THE CITY OF EUREKA, COUNTY OF**  
8                   **HUMBOLDT, STATE OF CALIFORNIA**  
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10           **WHEREAS**, on \_\_\_\_\_, 2005 in accordance with California Government Code, Section  
11 50280, et seq., and California Revenue and Taxation Code, Section 439 et seq., the City Council of  
12 the City of Eureka adopted Resolution No. 2005-\_\_\_\_\_, A RESOLUTION OF THE COUNCIL OF  
13 THE CITY OF EUREKA ESTABLISHING THE MILLS ACT HISTORIC PROPERTY TAX  
14 INCENTIVE PROGRAM IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF  
15 CALIFORNIA; and  
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17           **WHEREAS**, \_\_\_\_\_ is/are the property owner(s) and possesses fee title in and  
18 to that certain real property together with appurtenant structures and improvements thereon,  
19 referenced and known as the \_\_\_\_(property name)\_\_\_\_\_ and located at the street address of  
20 \_\_\_\_\_, Eureka, California, Assessor Parcel Number(s) \_\_\_\_\_, hereinafter referred to as  
21 the "Historic Property"; and  
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23           **WHEREAS**, \_\_\_\_\_ is a financial institution having interest in the subject  
24 property; and  
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26           **WHEREAS**, the property owner(s), with the financial institution's agreement, voluntarily  
27 requested that the property be subject to a Mills Act Historic Property Contract, including the  
28 covenants, reservations and restrictions as set forth therein; and  
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30           **WHEREAS**, said Historic Property is located entirely within the City of Eureka; and  
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32           **WHEREAS**, said Historic Property is privately owned; and

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2       **WHEREAS**, said Historic Property is not exempt from property taxation; and

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4       **WHEREAS**, said Historic Property is taxed as residential property; and

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6       **WHEREAS**, pursuant to the terms and provision of Title 15, Chapter 157 of the Eureka  
7 Municipal Code the Historic Property is individually listed on the City of Eureka's Local Register of  
8 Historic Places; and

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10       **WHEREAS**, the Owner's request for a Mills Act Historic Property Contract was submitted  
11 to and reviewed by the City of Eureka's Historic Preservation Commission; and.

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13       **WHEREAS**, on \_\_\_\_\_, 200\_\_, the Historic Preservation Commission approved the  
14 Schedule and Plan for Maintenance and Treatment of the Historic Property (attached as **Exhibit "B"**  
15 to the Contract) and took action to recommend that the City Council enter into a Mills Act Historic  
16 Property Contract with the Owner of the Historic Property; and

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18       **WHEREAS**, the Historic Property is located within the Redevelopment area and the  
19 Owner's request for a Mills Act Historic Property Contract was submitted to and reviewed by the  
20 Redevelopment Advisory Board; and.

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22       **WHEREAS**, on \_\_\_\_\_, 200\_\_, the Redevelopment Advisory Board took action to  
23 recommend approval to the Eureka City Council to enter into a Mills Act Historic Property Contract  
24 with the Owner of the Historic Property; and

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26       **WHEREAS**, the City of Eureka and the owner of the Historic Property, for their mutual  
27 benefits, now desire to enter into a Contract to both protect and preserve the Historic Property's  
28 character defining features which qualified it as property of historical significance and to qualify the  
29 Historic Property for an assessment of valuation pursuant to the provisions of Section 439, et. seq.,  
30 of the California Revenue and Taxation Code; and

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32       **WHEREAS**, it is the expectation of City that Owner will use the Mills Act property tax

savings to finance the preservation, maintenance and improvements to the property as specified in  
**Exhibit “B”**; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Eureka as  
follows:

**Section 1.** The subject property is a Qualified Historic Property and meets the  
requirements set forth in the City of Eureka Mills Act Historic Property Tax Incentive Program.

**Section 2.** The City Council hereby approves the Mills Act Historic Property Contract  
between the City of Eureka and \_\_\_\_\_.

**Section 3.** The City Council hereby authorizes the City Manager or authorized designee to  
execute said contract on behalf of the Council of the City of Eureka.

**Section 4.** The City Council has determined that execution of the Mills Act Historic  
Property Contract will have no potential for causing a significant effect on the environment and  
therefore pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061 is not  
subject to CEQA.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Eureka,  
County of Humboldt, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_, by the  
following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

1        ATTEST:

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5        \_\_\_\_\_  
6        *Peter La Vallee*  
7        *Mayor*

\_\_\_\_\_

*Kathleen L. Franco Simmons*  
*City Clerk*

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11        APPROVED AS TO ADMINISTRATION:

APPROVED AS TO FORM:

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15        \_\_\_\_\_  
16        *David W. Tyson*  
17        *City Manager*

\_\_\_\_\_

*David E. Tranberg*  
*City Attorney*